## **ZB# 84-5**

# Keith & Rebecca Williams

25-5-39

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TOWN OF NEW WINDSOR 555 Union Avenue	General Re	april 10,	i(i));
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2	CONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
	X
	In the Matter of the Application of  DECISION DENYING  KEITH & REBECCA WILLIAMS  USE VARIANCE
	<u> </u>
	X
	WHEREAS, KEITH & REBECCA WILLIAMS of 518 Balmoral Circle,
	New Windsor, NY (R-4) zone , ha ve made application before the
ľ	Zoning Board of Appeals for <u>a use</u> variance for the purposes of:
	hair salon in residential (R-4) zone ;
	and
	WHEREAS, a public hearing was held on the 9th day of
	April , 19 84 at the Town Hall, 555 Union Avenue, New
	Windsor, New York; and
	WHEREAS, applicants appeared by their attorney, Daniel J.
	Bloom, Esq., Bloom & Bloom, Route 94, New Windsor, N.Y. ; and
	WHEREAS, the application was opposed; and
	WHEREAS, the Zoning Board of Appeals of the Town of New
	Windsor makes the following findings of fact in this matter:
	1. The notice of public hearing was duly sent to residents
	and businesses as prescribed by law and published in The Sentinel, also
	as required by law.
	2. The evidence shows: that applicants' dwelling is located
ı	in a residential (R-4) zone which prohibits commercial usage and was
	zoned as such when it was purchased by applicants.
	3. The evidence shows: failed to indicate that a hardship
	to the land or building exists

: .

4. The evidence \*\* failed to indicate that a reasonable return will be yielded from the property if variance is not granted.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of law in this matter:

- 1. The evidence indicates that the aforesaid circumstances or conditions are such that the strict application of the provisions of not the local law would/deprive the applicants of the reasonable use of such land or building.
- 2. The evidence indicates that the plight of the applicants not is/due to unique circumstances and xxxt to general conditions suffered by other persons within the same zone.
  - 3. The evidence shows that the application as presented will alter the essential character of the neighborhood.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor denies a use variance as applied for and in connection with plans presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and the applicant.

Dated: April 23,1984.

Chalrman "

4/9/84 Public Haring - Williams, Keith & Reblaca. opposed Frank & Borges Address: 508 Bolival Cu 508 Bolmoral Cir Mond Jacqueline & Borgia Robert A Sorossey 506 Balmorel Cir. 506 Belmul Ci Margaret Coyle 407 Carlton Ci. Hay Casutto Stelle Brown 120 GENDELLE DE 525 Balmonal cia Opposed Trunk Soundling 511 Balmard OR Sinda Soucelli 525 Bolmoral Circle Sarah Pethine 514 Bolmaral Circle Mo opposition beller Leondard 514 Balmarel Circle
Junda Lugg 517-Balmarel Circle Michelina Lydeberg 5,7-Balmoral Circle Joe lavarez 259 main st Cornwall KEITH VILLIAMS 518 BALMORAL CIRCLE REDECCA WILLIAMS 518 BALMORALCIRCLE opposed Cynthia Opertonache 37 Continental Or RO#2 Bethlehenkd. Tolen Brandel Fatulo Fanica & Jockson Ane.

555 UNION AVENUE NEW WINDSOR, NEW YORK (914) 565-8550

Date: April 10, 1984

Mr. and Mrs. Keith Williams 518 Balmoral Circle New Windsor, N. Y. 12550

RE: APPLICATION BEFORE THE ZONING BOARD OF APPEALS

Dear Mr. and Mrs. Williams:

This is to confirm that your above application before the New Windsor Zoning Board of Appeals was Denied at a meeting held on the 9th day of April , 1984.

A formal decision will be drafted and acted upon at a later date. You will be receiving a copy of same by return mail.

Meanwhile, if you have any further questions, please do not hesitate to call me.

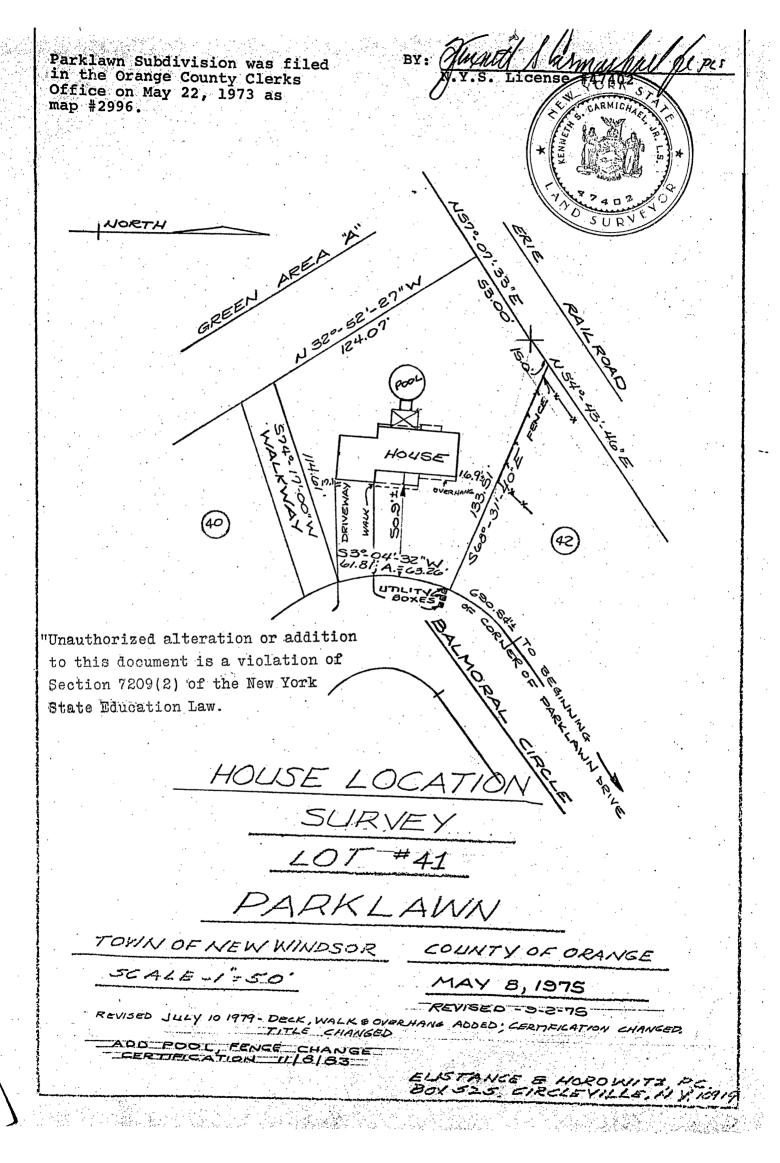
Very truly yours,

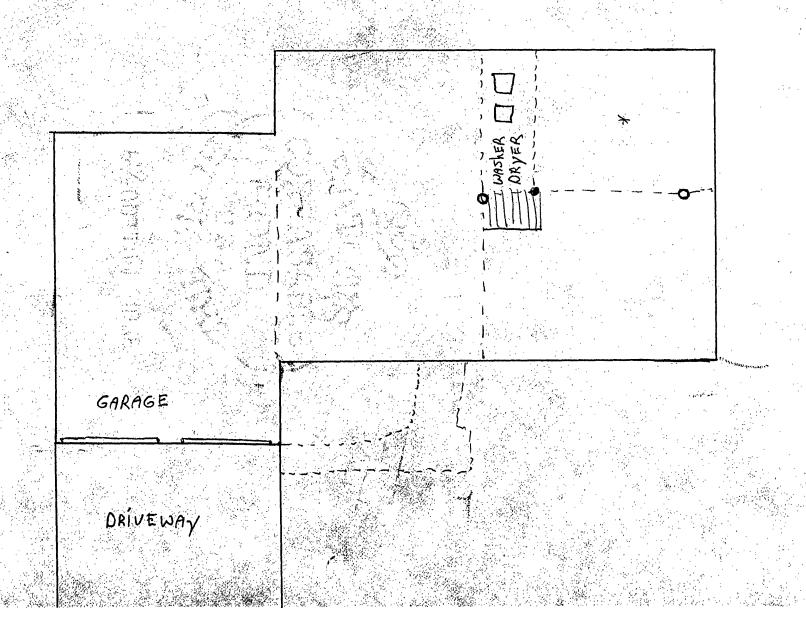
PATRICIA DELIO, Secretary New Windsor Zoning Board of Appeals

/pd

cc: Patrick Kennedy, Bldg./Zoning Inspector
 Town Planning Board
 Daniel J. Bloom, Esq.

I hereby certify to Keith Williams, and the Westchester Abstract Corp. that the house is located within the bounds of the lot as shown Parklawn Subdivision was filed BY: / in the Orange County Clerks Office on May 22, 1973 as map #2996. NORTH HOUSE "Unauthorized alteration or addition to this document is a violation of Section 7209(2) of the New York State Education Law. ARKLAWN TOWN OF NEW WINDSOR COUNTY OF ORANGE SCALE-1:50 MAY 8, 1975 REVISED JULY 10 1979 - DECK, WALK & OVERHANG ADDED





Memo FROM:

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

555 UNION AVENUE

NEW WINDSOR, NEW YORK 12550.

TO:

PLANNING BOARD
BUILDING INSPECTOR KENNEDY

DATE:

4/6/84

SUBJECT: PUBLIC HEARING BEFORE ZBA - April 9, 1984

---FOLD HERE--

Kindly be advised that there is one public hearing scheduled to be heard before the ZBA on Monday evening, April 9, 1984:

Application for Use Variance - KEITH & REBECCA WILLIAMS

I have attached hereto copy of the application and pertinent public hearing notice which appeared in <a href="mailto:The Sentine1">The Sentine1</a> on 3/29/84.

pd Enclosures



555 UNION AVENUE NEW WINDSOR, NEW YORK

(89 omlist

March 21, 1984

Mr. Keith Williams
518 Balmoral Circle
New Windsor N.Y.

RE: 25-5-39

Dear Mr. Williams:

According to my records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$95.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

PAULA SARVIS ASSESSOR

Town of New Windsor



555 UNION AVENUE NEW WINDSOR, NEW YORK

1762

Parisi George & Rose 125 Glendale Dr New Windsor NY 12550

Christopher Douglas R & Patricia 127 Glendale Dr New Windsor NY 12550

Beckel Christopher M & Patsy Elaine 129 Glendale Dr New Windsor NY 12550

Clark Sarah C 242 Spruce St New Windsor NY 12550

/ Kosecsky Joseph 223 Garden St New Windsor NY 12550

/ Antonelli Elizabeth C 225 Garden St New Windsor NY 12550

Christie Robert & Christina 227 Garden St New Windsor NY 12550

Chiarella Joseph & Gloria 229 Garden St New Windsor NY 12550

Wilkinson George & Antoinette 231 Garden St New Windsor NY 12550

Thompson Edward Jr 6 Hickory Ave New Windsor NY 12550 Iacovino Joseph A & Geraldine PO Box 2382 Newburgh NY 12550

Davidson John R & Angela A 239 Garden St New Windsor NY 12550

Starobin Isreal & Ida /241 Garden St New Windsor NY 12550

Marino Leo & Ann 243 Garden St New Windsor NY 12550

/Gaudioso John J & Kathleen / 245 Garden St New Windsor NY 12550

Banulis Bernard W & Baldbino P
240 Spruce St
New Windsor NY 12550

/ Case Richard & Carol 224 Garden St New Windsor NY 12550

Zelikow Nanuel & Toby 226 Garden St New Windsor NY 12550

Zeger Emiel & Serena 228 Garden St New Windsor NY 12550

Fedorko Charles R & Joan 222 Franklin St New Windsor NY 12550



555 UNION AVENUE NEW WINDSOR, NEW YORK

Lupo John F & Linda 517 Balmoral Cir New Windsor NY 12550

Catania Vincent & Kathleen
411 Carlton Pl
New Windsor NY 12550

/ Clinton Sally 409 Carlton Circle New Windsor NY 12550

Lech John J & Eleanor R 407 Carlton Circle New Windsor NY 12550

Karas Gus & Makris Uasilios 405 Carlton Cir New Windsor NY 12550

Stern Gary & Amy 403 Carlton Circle' New Windsor NY 12550

/ Lombardi Ronald A & Mari Ann 502 Balmoral Cir New Windsor NY 12550

O'Connor John J & Randee J 504 Balmoral Cir New Windsor NY 12550

Rosenberger George
506 Balmoral Cir
New Windsor NY 12550

Borgia Frank J & Jacqueline R 508 Balmoral Cir New Windsor NY 12550

Provanzana Edward J & Mary Ellen
510 Balmoral Circle
New Windsor NY 12550

Holden Donald J & Margaret 512 Balmoral Circle New Windsor NY 12550

Pettine Augustus & Sarah
514 Balmoral Cir
New Windsor NY 12550

Leonhardt George S & Eileen 516 Balmoral Cir New Windsor NY 12550

Williams Keith K & Rebecca H 518 Balmoral Cir New Windsor NY 12550

County of Orange 255-275 Main St Goshen NY 10924

Sarich Emil W & Leda 520 Balmoral Cir New Windsor NY 12550

Greer Elliott & Joann 524 Balmoral Cir New Windsor NY 12550

/ Natkiel Noel G & Marilyne 526 Balmoral Cir New Windsor NY 12550

Higgins James & Susan 528 Balmoral Cir New Windsor NY 12550

Shewring Wayne E & Elizabeth 530 Balmoral Cir New Windsor NY 12550

Clark Robert M & Sandra J 501 Balmoral Cir New Windsor NY 12550



555 UNION AVENUE NEW WINDSOR, NEW YORK

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Welsh Quentin 0 & Roseann C 67 Harth Dr New Windsor NY 12550

Antonucci Primo M & Camille A 69 Harth Dr New Windsor NY 12550

Suttlehan Donald J & Gaye Ann

73 Harth Dr

New Windsor NY 12550

Petronella Franesco M & Susan E 75 Harth Dr New Windsor NY 12550

/ Raz William & Elizabeth 77 Harth Dr New Windsor NY 12550

Palmer John K & Rita Ann 79 Harth Dr New Windsor NY 12550

Toffler Harold & Lillian P 81 Harth Dr New Windsor NY 12550

Gotz Robert H & Ana S 83 Harth Dr New Windsor NY 12550

Botsford Charles A & Marion H 85 Harth Dr New Windsor NY 12550

Sullivan Maurice D & Delia C 71 Harth Dr New Windsor NY 12550 Antonucci Primo M & Camille A 69 Harth Dr New Windsor NY 12550

Welsh Quentin J & Roseann C 67 Harth Dr New Windsor NY 12550

Kirtib Ann Marie 62 Harth Dr New Windsor NY 12550

Bivona Joseph R & Alice M 64 Harth Dr New Windsor NY 12550

Henderson Leonard C & Joan 25 Cresthaven Dr New Windsor NY 12550

Shaffer Natalie Tague 23 Cresthaven Dr New Windsor NY 12550

Olsen John L & Muriel C 28 Cresthaven Dr New Windsor NY 12550

Soricelli Dennis J & Patricia I 511 Balmoral Cir New Windsor NY 12550

Doerr Robert Paul & Ellen 507 Balmoral Cir New Windsor NY 12550

Soricelli Frank & Linda 525 Balmoral Cir New Windsor NY 12550



555 UNION AVENUE NEW WINDSOR, NEW YORK

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Vanasco Frank J & Frances B

125 S William St Newburgh NY 12550

Hamblin David W & Doris G 223 Franklin St

New Windsor NY 12550

Casucci Attilio & Margaret 221 Franklin St New Windsor NY 12550

/Ronsini Carl C & Mary R 222 Margo St New Windsor NY 12550

Ruscitti AAron & Patricia

224 Margo Pl

New Windsor NY 12550

✓ Martini Loretta M
226 Margo St
New Windsor NY 12550

Mullin Dennis & Ann 241 Spruce St New Windsor NY 12550

Consolidated Rail Corp Property Tax Dept PO Box 8499 Philadelephia Pa 19101

#### PETITION TO THE ZONING BOARD OF APPEALS

Recofiled 4/9/84.

This petition is in connection to the request by Keith Williams for a variance to permit an area to be used for a hair styling business in his home. The location is 518 Balmoral Circle New Windsor N.Y..

This petition states that the nature of the requested variance is fully understood and approved by consent from the following neighbors:

	NAME
1.	John Woristy 516 Balmoral Circle, New Window 4.7
2.	Celeen Leon Lat 516 Balmaral Circle, Mer Mindson, N.)
	Sally Pettine . 514 Balmoul cir new winder
	Hus Pettine 514 Balmoral cir new Windso
5.	Pat Spricelli 55 Bormaral Cir New Window
6.	Danffalli SII Splnond. CIR NEW WINDSUN N
7.	John F. Lugo 517 BALMORAL CIR NEW WINDSOR N.
8.	Linda M. Lipo 517 BALMORAL CIR 11 11 "
	Michelina fyderling 1517 Brannoeau CIR 11 11 11
10.	Lede Suit 500 Bremus Cie N.W
	Ellen Doen 507 Balmoras circle n. w.
12.	M. D. Watbiel 526 BALMORAL CINCLE M. W.
14.	Jung Soricelle 525 Balmoral Circle
15.	Ed. Herrauzana Sto Balnow Cer Men Vender.
	Margaret Holden 512 Bolowal C. new Wendson, My.
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To.	Mayor Morle 366 But nout a Man Winson

Received o filed

We the undersigned reside in The guiet residential Hendale Estates and do not wish our private residential area to be converted to a commercial area. I herefore the proposal for the Beauty Salow at 518 Dalmoral Cercle well volate our privacy and we are opposed to its opening. Name

3/31/84 1. Jacqueline R. Borgia 2. Frank J. Borgia 3. Kuly & Chapman 4. Saich Pettine 5. Aus Petterl 6. John & Supp 7. Linda, In Jupo 9. Ny deberg

10. J. Street 12. Ollen Doen 13 Robert T. A Jacon

14. Jan Soulle 15. June Jan 17. June Jan 18. June Jan

19 Frank Soucelli 201 Juda Soricelle

508 Bolmoral Cucle

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527 Salmoral G. 524 Balmorallerde

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507 Balmoral Circle

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120 Glendule DC.

530 BALMORAL CREEK W.W

524 Calmoralacy

525 Balmony (Cox

530 Balmoral Disbeth Shew e Cis. S.W. .. Youh Chriter 409 CARCHEN CON 33 Holy Clerton 40 9 Carlton Circle 24 Konne Silver 404 Carton Cicle 25/ Kahat Silves 404 Coulton Circle 30 novæd Solid 406 Carlton Cuclo 29 Maren Cooperanth 1976 a star lucle 19 Jack Cooperant 410 Carlton Cully 30. Bill Kreager 405 Carlton Circle 31 Bull Middin 3. Lynn Kedder 115 GlendAle Dr 33. Ca Redden 34. Gloria Homel 124 Glerdale De. 35. Kill E Home 126 Startle Dr 36. 6 ptool Suscell 129 Glendale Dr. Kaw Windson 139 Elendale Dr. New Winson 37 Tinda Feafil 3: Kouwie Seigerman 128 Glendalo Dr. 3 a Stephen J. Costelle 122 Glendale Nr. 40 f. Casallo 41 Glegrow K. Lech 407 Carlton Cir. 42. Margarel Coyle 506 Belmoral Cir 43 Odeline Colorelli 101 Llendale Dr. 44 Robot A Suse 506 Bulmoral Cire

mended # 128

Town of New Windsor zoning board of appeals

Application for variance or special permit

Date:

Ann 1 -	
	icant Information:
(a)'	(Name, address and phone of Applicant) (Owner)
(b)	SAME (Walley and phone of hpp://canc)
(c)	Name, address and phone of purchaser or lessee)
	(Name, address and phone of attorney)
(d)	(Name, address and phone of broker)
App1	ication type:
$\mathbf{X}$	Use Variance Sign Variance
	Area Variance Special Permit
Prop	erty Information:
(a)	R-4 518 RALMORAL CIRCLE 25 5 39 3/4 ACR
/L\	(Zone) (Address) (S B L) (Lot size
(c)	What other zones lie within 500 ft.? Rail Road Streets + Resident states a pending sale or lease subject to ZBA approval of this
	application? Application?
(q)	When was property purchased by present owner? Nov. 83 Has property been subdivided previously? NO When?
(e)	Has property been subdivided previously? NO when?
(£)	Has property been subject of vertibres or special permit
(f)	Has property been subject of variance or special permit
(±)	Has property been subject of variance or special permit previously? NO When? Has an Order to Remedy Violation been issued against the
(f) (g)	Has property been subject of variance or special permit previously? NO When? Has an Order to Remedy Violation been issued against the property by the Zoning Inspector?
(±)	Has property been subject of variance or special permit previously? NO When? Has an Order to Remedy Violation been issued against the
(f) (g)	Has property been subject of variance or special permit previously? NO When? Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? NO.  Is there any outside storage at the property now or is any
(f) (g) (h)	Has property been subject of variance or special permit previously? NO When? Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? NO.  Is there any outside storage at the property now or is any
(f) (g) (h)	Has property been subject of variance or special permit previously?  Mo When?  Has an Order to Remedy Violation been issued against the property by the Zoning Inspector?  Is there any outside storage at the property now or is any proposed? Describe in detail:  Variance:  Use Variance requested from New Windsor Zoning Local Law,
(f) (g) (h) Use	Has property been subject of variance or special permit previously?  NO When?  Has an Order to Remedy Violation been issued against the property by the Zoning Inspector?  Is there any outside storage at the property now or is any proposed? Describe in detail:  Variance:  Use Variance requested from New Windsor Zoning Local Law, Section 48-9, Table of Use Regs., Col. A , to
(f) (g) (h) Use	Has property been subject of variance or special permit previously? NO When?  Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? NO.  Is there any outside storage at the property now or is any proposed? Describe in detail: NO  Variance: Use Variance requested from New Windsor Zoning Local Law, Section 48-9, Table of 450 Regs., Col. A, to allow:
(f) (g) (h) Use	Has property been subject of variance or special permit previously?  Has an Order to Remedy Violation been issued against the property by the Zoning Inspector?  Is there any outside storage at the property now or is any proposed? Describe in detail:  Variance:  Use Variance requested from New Windsor Zoning Local Law, Section 48-9, Table of 48-9, Regs., Col. A, to allow:  (Describe proposal) To operate A part Time Hair
(f) (g) (h) Use	Has property been subject of variance or special permit previously? NO When?  Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? NO.  Is there any outside storage at the property now or is any proposed? Describe in detail: NO  Variance: Use Variance requested from New Windsor Zoning Local Law, Section 48-9, Table of 450 Regs., Col. A, to allow:

		<b>-2-</b>	
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(b) ´	hardship. Descr will result unle set forth any ef	rd for a "Use" variance ibe why you feel unnece is the use variance is forts you have made to han this application.	essary hardship granted. Also alleviate the
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			<u>, , , , , , , , , , , , , , , , , , , </u>
V. Area	n variance: Area variance re Section, T	quested from New Winds	or Zoning Local Law
		Proposed or	Variance
	Requirements	Available	Request
	Min. bot Area		
	Min. Lot Width		
	Reqd. Front Yd. Reqd. Side Yd.		
	Regd. Rear Yd.		
	Reqd. Street		
	Frontage*		
	Max. Bldg. Hgt. Min. Floor Area*		
	Dev. Coverage*	7,	<del></del>
	Floor Area Ratio		
. ,			•
	* Residential I	Districts only ial districts only	•
	"" Non-lesident	tal districts only	•
(Ъ	difficulty. Des will result unle set forth any es	ard for an "AREA" variance is the area variance forts you have made to than this application	actical difficulty is granted. Also, o alleviate the
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7I. Sig	n Variance: (a) Variance respection	equested from New Wind , Table of Proposed or	sor Zoning Local Lav Regs., Col. Variance
	Sign 1 Sign 2 Sign 3 Sign 4	rements Available	Request
	Sign 5		

٠. د	• .		-3-
		(b)	Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.
		(-)	That is total area in aguara fact of all gions on premises
		(6)	What is total area in square feet of all signs on premises including signs on windows, face of building, and freestanding signs?
	77 <b>7</b> T	C	i al Damit
	VII.		cial Permit: Special Permit requested under New Windsor Zoning Local Law, Section, Table of Regs., Col
		(b)	Describe in detail the use and structures proposed for the special permit.
		•	
1			
	VIII.	Addit	tional comments:
		(a)	Describe any conditions or safeguards you offer to ensure
			that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of
	•		the New Windsor Zoning Local Law is fostered. (Trees,
			landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
			NOTHING WILL BE CHANGED EXTERIORLY EXCEPT.
			A WALKWAY AND ENTRANCE TO THE RUSINESS
			AREA WILL BE KEPT. BOTH AddITIONS WILL BE dONE BY EXPERTS THAT WILL ENHANCE THE
			BEAUTY AND VALUE OF THE PROPERTY.
	IX.	√Atta	chments required:
			∠ Copy of letter of referral from Bldg./Zoning Inspector.
			Copy of tax map showing adjacent properties.  Copy of contract of sale, lease or franchise agreement.
			Copy(ies) of site plan or survey showing the size and
		•	location of the lot, the location of all buildings,
			facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs,
			paving and streets within 200 ft. of the lot.
			MA Copy(ies) of sign(s) with dimensions.
			Check in the amount of \$ 25.00 payable to TOWN OF NEW WINDSOR.
			Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date March 14, 1984.

STATE OF NEW YORK)
COUNTY OF ORANGE )

SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

A FORMAL DECISION WILL FOLLOW WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS.

# PUBLIC NOTICE OF HEARING BEFORE ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Ordinance on the following proposition:

Appe	eal No. 5
Requ	uest of KEITH WILLIAMS
for	a VARIANCE SPEKNALXPERMAXX of
the	regulations of the Zoning Ordinance to
per	mit small area in residential home
to	be used for hair styling
° bei	ng a VARIANCE SYECHAIX Of
Sec	tion 48-9 - Table of Use Regulations - Col. A
	property situated as follows:  18 Balmoral Circle, New Windsor, NY
	· · · · · · · · · · · · · · · · · · ·
SAID HEA	ARING will take place on the 9th day of
	on Avenue, New Windsor, N. Y. beginning at
	clock P. M.
	DANIEL P. KONKOL

Chairman

Prelim. -2/27/84 7:30 pm

# TOWN OF NEW WINDSOR ORANGE COUNTY, N. Y. OFFICE OF ZONING - BUILDING INSPECTOR

#### NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

		,	•
File No	o Lecca	Date An Ja	új 30., 19.8 A
File No. To Keith Williams 9	Y 56.5-5	566	
Fl Balmaral	Circle		
News Windsor, N.	/	,	
PLEASE TAKE NOTICE th			30, 19.84
for permit to openate L		í	
at the premises located atA	Balmoral	Circle	
	••••••	•	
is returned herewith and disappro		•	1 1 1
K-A Zone: No			
as home accopat	icv1	Use variance	e hudd.
			••••••••••
		1-///	
	/	Building Ins	pector